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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/776,065	02/11/2004	Mohammad Parsian	DP-309105	2113
7590	09/22/2006		EXAMINER	
JIMMY L. FUNKE DELPHI TECHNOLOGIES, INC. Legal Staff, Mail Code: 480-410-202 P.O. Box 5052 Troy, MI 48007-5052			WILLS, MONIQUE M	
			ART UNIT	PAPER NUMBER
			1745	
DATE MAILED: 09/22/2006				

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/776,065	PARSIAN, MOHAMMAD	
Examiner	Art Unit		
Monique M. Wills	1745		

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

1)  Responsive to communication(s) filed on 11 February 2004.

2a)  This action is **FINAL**.                    2b)  This action is non-final.

3)  Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

4)  Claim(s) 1-23 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
5)  Claim(s) \_\_\_\_\_ is/are allowed.  
6)  Claim(s) 1-23 is/are rejected.  
7)  Claim(s) \_\_\_\_\_ is/are objected to.  
8)  Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

9)  The specification is objected to by the Examiner.

10)  The drawing(s) filed on 11 February 2004 is/are: a)  accepted or b)  objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)  The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

12)  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a)  All    b)  Some \* c)  None of:  
1.  Certified copies of the priority documents have been received.  
2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3.  Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1)  Notice of References Cited (PTO-892)  
2)  Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3)  Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date 2/11/04.

4)  Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_ .  
5)  Notice of Informal Patent Application  
6)  Other: \_\_\_\_ .

## DETAILED ACTION

### *Information Disclosure Statement*

The information disclosure statements filed February 11, 2004 has/have been received and complies with the provisions of 37 CFR 1.97, 1.98 and MPEP § 609. Accordingly, the information disclosure statement(s) is/are being considered by the examiner, and an initial copied is attached herewith.

### *Claim Rejections – 35 USC § 102*

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

- (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-9 & 11-23 rejected under 35 U.S.C. 102(e) as being anticipated by Parsian U.S. Pub. 2004/0142235.

The applied reference has a common assignment with the instant application. Based upon the earlier effective U.S. filing date of the reference, it constitutes prior art under 35 U.S.C. 102(e). This rejection under 35 U.S.C. 102(e) might be overcome either by a showing under 37 CFR 1.132 that any invention disclosed but not claimed in the reference was derived from the inventor of this application and is thus not the invention " by another," or by an appropriate showing under 37 CFR 1.131.

In re claim 1, Parsian teaches a lithium polymer battery configured with at least one continuous electrode and at least two discontinuous electrodes having an opposite charge from the continuous electrode. See the Abstract. The lithium polymer cell comprises: an anode adjacent a first current collector; a cathode adjacent a second current collector; and a separator layer positioned between the first and second electrodes, wherein one of the first and second current collectors is a metal grid and the other of the first and second current collectors is a metal foil. See paragraphs 2-3 & 7. With respect to claim 2, the cell is a folded multicell in which the anode is configured continuously at the exterior of the multicell and the first current collector is the metal grid, and the

cathode is configured discontinuously at the interior of the multicell and the current collector is the metal foil. See paragraphs 11 & 12.

With respect to claim 3, the cathode is sandwiched between a pair of anodes, with a pair of intervening separator layers. See paragraphs 47 & 52.

As to claims 4 & 6, the cathode current collector is the metal foil and the anode current collector is the metal grid. See paragraph 3.

With respect to claim 5, the cell is a folded multibicell. See paragraph 52.

Further concerning claim 6, the cathode current collector is an aluminum grid. See paragraph 4.

With respect to claim 7, the anode current collector is a copper foil. See paragraph 3.

With respect to claim 8, the anode current collector is a copper grid. See paragraph 3.

With respect to claim 9, the cathode current collector is a aluminum foil. See paragraph 4.

With respect to claims 11, 12 & 18, the anode current collector is positioned between two separate anode films. See paragraph 8.

With respect to claims 11, 13 & 22, the cathode current collector is positioned between two separate cathode films. See paragraph 8.

With respect to claim 14, the anode current collector is positioned at the exterior of the battery cell. See paragraph 52.

With respect to claims 15, 17 & 21, the cathode current collector is positioned at the exterior of the battery cell. See paragraph 15.

In re claims 16 & 20, the lithium cell comprises: a pair of anodes (par. 8) with copper grid current collectors (par. 3); a cathode sandwiched between a pair of anodes with aluminum foil current collector (par. 4); and a pair of separators positioned therebetween (par. 8).

With respect to claim 19, the pair of anodes are configured discontinuously and the bicell is in a folded configuration to form a corrugated multibicell (par. 52-53).

With respect to claim 23, the cathodes are configured discontinuously and the bicell is in a folded configuration to form a corrugated multibicell (par. 53).

Therefore, Parsian anticipates the instant claims.

*Claim Rejections – 35 USC § 103*

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Parsian U.S. Pub. 2004/0142235.

Parsian teaches the battery cell as described in the § 102(e) rejection recited hereinabove.

The reference does not expressly disclose each first current collector is positioned at the exterior of the bicell.

However, it would have been obvious to one of ordinary skill in the art at the time the invention was made to employ the first current collector at the exterior of the bicell, since it has been held that rearranging parts of an invention involves only routine skill in the art. *In re Japikse*, 86 USPQ 70.

*Conclusion*

Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Monique Wills whose telephone number is (571) 272-1309. The Examiner can normally be reached on Monday-Friday from 8:30am to 5:00 pm.

If attempts to reach Examiner by telephone are unsuccessful, the Examiner's supervisor, Patrick Ryan, may be reached at 571-272-1292. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

MW

9/12/06

  
PATRICK JOSEPH RYAN  
SUPERVISORY PATENT EXAMINER